

**Clear and Present Danger**  
**Illinois State Police**  
**Office of Firearm Safety**



## Goals and Objectives

- Understand what constitutes a Clear and Present Danger
- Understand the information necessary for processing a successful C&PD submission
- Understand what constitutes a prohibitor to firearms possession

## FOID Card Requirements

- ▶ To be eligible for a FOID card, a person must be 21 years of age or have a parent or guardian sponsor that is eligible for a FOID card. An applicant must not be prohibited from possessing firearms in accordance with state or federal law.



## What is a “Prohibitor” to Firearm Possession In Illinois?



### ▶ Illinois Firearm Prohibitor

- ▶ A prohibitor is an attribute or characteristic of a specific event that, by its nature, represents a danger to a reasonably identifiable person or has been legislated by statute as being a disqualifier to firearm possession
- ▶ 430 ILCS 65/8 lists possible prohibitors

## What is a Clear and Present (C&P) Danger?

- ▶ Clear and present danger means a person who:
  - ▶ Communicates a serious threat of physical violence against a reasonably identifiable victim or poses a clear and imminent risk of serious physical injury to himself, herself, or another person as determined by a physician, clinical psychologist, or qualified examiner; OR
  - ▶ Demonstrates threatening physical or verbal behavior, such as violent, suicidal, or assaultive threats, actions, or other behavior, as determined by physician, clinical psychologist, qualified examiner, **school administrator**, or law enforcement official.



# ISP Web Site C&PD Form Location

<https://isp.illinois.gov/>

ILLINOIS STATE POLICE  
INTEGRITY SERVICE PRIDE

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ISP OFFICE OF THE DIRECTOR ▾ ACADEMY & TRAINING ▾ PATROL ▾ CRIMINAL INVESTIGATION ▾ FORENSICS ▾ JUSTICE SERVICES ▾ STATEWIDE 911 ▾ INTERNAL INVESTIGATION ▾

ABOUT ISP JOIN ISP LAW ENFORCEMENT RESOURCES **CITIZEN RESOURCES** NEWS & SOCIAL MEDIA

Quick Links

- SEX OFFENDER REGISTRY
- MURDERER & VIOLENT OFFENDER AGAINST YOUTH
- FOID/CCL
- CRASH REPORTS
- CRIME STATS
- FOIA

# ISP Web Site C&PD Form Location

The screenshot displays the Illinois State Police website. At the top, there is a navigation bar with the following links: [ISP](#), [OFFICE OF THE DIRECTOR](#), [ACADEMY & TRAINING](#), [PATROL](#), [CRIMINAL INVESTIGATION](#), [FORENSICS](#), [JUSTICE SERVICES](#), [STATEWIDE 911](#), and [INTERNAL INVESTIGATION](#). Below this is a row of buttons for various services: [HOME](#), [CITIZEN RESOURCES](#), [FOIA](#), [CRASH REPORTS](#), [FILE A CITIZEN COMPLAINT](#), [OFFICER/EMPLOYEE APPRECIATION FORM](#), [DOMESTIC VIOLENCE](#), [CIVILIAN EMPLOYMENT OPPORTUNITIES](#), [CITIZEN SURVEY](#), [SCAM & FRAUD](#), [FORMS](#) (highlighted with a red arrow), [DEPARTMENT DIRECTIVES](#), and [ISP STRATEGIC PLAN](#). The 'FORMS' link is highlighted with a red arrow pointing to it.

## Forms

**Become A Trooper**

- [ISP Internship Program Guidelines and Application](#)

**Civilian Employment**

- [Civilian Careers at Illinois State Police](#)

**Quick Links**

- [SEX OFFENDER REGISTRY](#)
- [MURDERER & VIOLENT OFFENDER AGAINST YOUTH](#)
- [FOID/CCL](#)
- [CRASH REPORTS](#)
- [CRIME STATS](#)
- [FOIA](#)

# ISP Web Site C&PD Form Location

## Firearms Services Bureau Forms



- [Transporting Your Firearm.pdf](#)
- [Appeal Request.pdf](#)
- [CCL Review Form.pdf](#)
- [Clear And Present Danger.pdf](#)
- [Dev Disabled.pdf](#)
- [Evaluation.pdf](#)
- [Investigation.pdf](#)
- [Lost FOID Affidavit.pdf](#)
- [Mental Health.pdf](#)
- [Mental Health Cert.pdf](#)
- [Non Mental Health.pdf](#)
- [Affidavit-Question1 - Felony.pdf](#)
- [Affidavit-Question2 - Battery in Past 5 Year.pdf](#)
- [Affidavit-Question3 - Domestic Battery.pdf](#)



# ISBE Web Site C&PD Form Location

<http://www.isbe.net/schoolsafety>

## POLICY

### Educational Safety and Security Center

## POLICY

### EDUCATIONAL SAFETY AND SECURITY CENTER


The Educational Safety and Security Center (ESSC) is being developed as a tool to assist administrators, teachers and other school service personnel in locating resources relevant to school safety and emergency response. As the ESSC will be adding training, guidance and resource features over the next several months, we encourage you to revisit this website periodically.

All schools are advised to work proactively with local public health departments, law enforcement, fire departments and community groups to ensure that safety planning and response is inclusive of all relevant community partners.

## Important Information

### Clear and Present Danger Reporting

Pursuant to the Firearms Owners Identification (FOID) Card Act, when a student or other person demonstrates threatening physical or verbal behavior determined to pose a clear and present danger to themselves or others, school administrators must submit a report to the Illinois State Police within 24 hours of the incident. This reporting process is intended to identify and prevent individuals who pose a clear and present danger from legally accessing firearms or firearm ammunition by revoking the individual's FOID Card or preventing them from obtaining a FOID Card in the future. Reports should include specific details, dates, and times, as well as the names and contact information of any witnesses.

The Clear and Present Danger form  can be found on the Illinois State Police's website and must be completed by a school administrator, such as a principal or superintendent, and faxed or emailed to the Illinois State Police, Firearms Services Bureau, Investigative Support Unit at 217-782-9139 or ISP.FTIP.QC.FAX@Illinois.gov. If the actions taking place require immediate police presence, please contact your local law enforcement agency immediately.

This procedure is a crucial tool to keep guns out of the hands of those who might use them to hurt themselves or our students and educators. For more information, please email [schoolsafety@isbe.net](mailto:schoolsafety@isbe.net).



## Illinois State Police Clear and Present Danger Reporting Instructions for Law Enforcement Officials and School Administrators

The **Person Determined to Pose a Clear and Present Danger** form shall be used by law enforcement officials and school administrators to report individuals determined to pose a clear and present danger pursuant to 20 Il. Admin. Code 1230.120. The form must be submitted within 24 hours of the determination to the Illinois State Police, Firearms Services Bureau in Springfield, Illinois. This reporting duty is separate from any requests for assistance made to a law enforcement agency. For immediate police assistance, School Administrators must still contact their local law enforcement agency or call 911.

### Who must Report? Pursuant to 430 ILCS 65/8.1(d)(2) and 430 ILCS 66/105,

- Law enforcement Officials
- School Administrators – principals and chief administrative officers (or their designees) of public and private: elementary and secondary schools, community colleges, colleges, and universities.

### What do I Report?

- When a student or other person demonstrates threatening physical or verbal behavior, such as violent, suicidal, or assaultive threats, actions or other behaviors they may be determined to pose a clear and present danger.
- The reporting law enforcement official, school administrator, or their designee must complete **Person Determined to Pose a Clear and Present Danger** form in its entirety and sign it. Specific behaviors and statements leading to the determination must be included in the form's narrative section. Dates and times of occurrence, as well as the names and contact information of any witnesses, should also be included. Additional supporting documentation should be referenced in the narrative section and submitted along with the form.

### How do I report?

- The completed form and attachments must be faxed to the Illinois State Police, FOID Enforcement at 217-782-9139 within 24 hours of determining the student poses a clear and present danger.
- The Illinois State Police, Firearms Services Bureau may be contacted at 217-782-3700, Monday – Friday, 8:30 a.m. to 5:00 p.m., to answer questions or confirm receipt of a submission.
- If you need emergency assistance from the Firearms Services Bureau beyond normal business hours, contact the Illinois State Police, Statewide Terrorism and Intelligence Center at 877-455-7842.

### What else should I know?

- This reporting process is intended to prevent individuals determined to pose a clear and present danger from having access to firearms or firearm ammunition by revoking the individuals FOID Card.
- Clear and present danger reporting shall be made consistent with the Family Educational Rights and Privacy Act (34 CFR § 99.36) to assist the Department with protecting the health and safety of the public by denying persons, who present a clear and present danger, from having lawful access to weapons. School administrators should consider consulting with their legal counsel prior to adopting clear and present danger reporting policies.
- A principal or chief administrative officer, or designee of a principal or chief administrative officer, making the determination and reporting "Clear and Present Danger" shall not be held criminally, civilly, or professionally liable, except for willful or wanton misconduct. (430 ILCS 66/110)



**Illinois State Police**  
**Person Determined to Pose a Clear and Present Danger**

It is the duty of law enforcement officials and school administrator to report to the Department of State Police when a student or other person is determined to pose a clear and present danger to themselves, or to others, within 24 hours of the determination. 20 IL Admin. Code 1230.120.

This form must be completed in its entirety by the law enforcement official, principal, chief administrative officer, or their designee making the determination. Clear and present danger reporting shall be used by the Department of State Police to identify persons who, if granted access to a firearm or firearm ammunition, pose an actual, imminent threat of substantial bodily harm to themselves or another person(s) that is articulable and significant or who will likely act in a manner dangerous to public interest.

Completed forms and attachments should be faxed to the Illinois State Police, Firearm Services Bureau at 217/782-9139. For questions or to confirm receipt of a fax, please call the Firearms Services Bureau, Monday through Friday, 8:30 a.m. to 5:00 p.m. at 217/782-3700. For assistance from the Firearms Services Bureau beyond normal business hours, contact the Statewide Terrorism and Intelligence Center at 877/455-7842. If immediate police assistance is required, contact your local law enforcement agency or call 911.

**REPORTING OFFICIAL**

Name of Reporting Official:	
Title of Reporting Official:	
Name of Law Enforcement Agency / School:	Address:
Contact information:	
Phone	Fax:
Email	
Signature of Reporting Official:	Date:

**INDIVIDUAL POSING A CLEAR AND PRESENT DANGER**

Individual's Name:	Date of Birth:
Individual's Home Address:	Individual's Campus Address (if applicable):
Individual's Parents or Guardians Names (if applicable):	
Individual's Contact Phone Number(s):	

**DETERMINATION OF CLEAR AND PRESENT DANGER**

Provide a detailed narrative of the facts supporting the determination of "Clear and Present Danger." Include specific behaviors witnessed and statements made. Also include dates and times as well as any witnesses to the specific behaviors or statements. Any attachments or supporting documentation must be referenced in the narrative and submitted with this form.

The reporting official certifies that \_\_\_\_\_ Individual's First Name, Middle Initial, Last Name poses a clear and present danger in that they demonstrate threatening physical or verbal behavior, such as violent, suicidal, or assaultive threats, actions, or other behaviors, as determined by a school administrator or law enforcement official. (430 ILCS 65/1.1)

Signature of Reporting Official: \_\_\_\_\_ Date: \_\_\_\_\_

Notice: The Department shall make the final determination regarding whether a clear and present danger exists for purposes of revoking a FOID card pursuant to Section 8(f) of the Act. The Department shall maintain a record of those persons who are determined to present a clear and present danger for the purpose of denying or revoking a FOID card pursuant to Section 8(f) of the Act but shall not maintain a record of those persons who are not determined to present a clear and present danger for such purposes.

## C&PD - INVESTIGATION



- ▶ C&PD request can be submitted by: **Law Enforcement, School Administrators & Medical Professionals**
- ▶ Evidence used in support of a C&PD can include: **incident report, photos, screenshots of Facebook/Twitter/Snapchat, text messages, voluntary statements, suicide notes, etc.**
- ▶ *It is EXTREMELY important all documentation is submitted as soon as possible from the school responsible for the submission.*

## How is a C&P Processed?



- Reviewed by Office of Firearm Safety Analyst
- If determined to be a possible C&P, additional documentation is obtained/requested
- A report is forwarded to the Office of Firearm Safety Supervisor for final determination
- If the C&PD is approved the cardholder is revoked.
- Revocation correspondence is mailed to the cardholder and local law enforcement agency.



## C&P – INVESTIGATION



- ▶ Analyst attempt to get as much information as possible to support a C&PD
- ▶ Every effort is made to find ALL applicable prohibitors during the investigation in addition to C&PD (felony indictment, mental health admission, Order of Protection, Firearms Restraining Order, controlled substance abuse).

**Questions?**

**For additional support, please email us at  
[schoolsafety@isbe.net](mailto:schoolsafety@isbe.net)**